

E-Filed 08/24/2010

United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

No. C 10-0995 RS

Plaintiff,

v.

**ORDER REQUESTING FURTHER
BRIEFING AND VACATING
HEARING**

\$35,017 IN UNITED STATES
CURRENCY,

Defendant.

Plaintiff has moved to set aside the Clerk's entry of default. On August 04, 2010, the Ninth Circuit directly addressed the question of a movant's culpability in *U.S. v. Signed Personal Check No. 730 Of Yurban S. Mesle*, No. 09-55353, 2010 WL 3025014 (9th Cir. Aug. 04, 2010). That case sought to reconcile the two competing conceptions related to the culpability question endorsed within this Circuit. Should the parties wish to discuss the implications of that decision for this case, they may file a brief of no more than three pages of text on or before 5:00 p.m. on September 2, 2010. At that time, the matter will be considered submitted and shall be resolved without oral argument, pursuant to Civil Local Rule 7-1(b). Accordingly, the hearing scheduled for August 26, 2010 is **vacated**.

No. C 10-0995 RS
ORDER

IT IS SO ORDERED.

Dated: 08/24/2010



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE